

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

-----X  
PAUL T. PAPADAKIS,  
:  
PLAINTIFF : CIVIL ACTION  
VS. : NO.: 04-30189-MAP  
CSX TRANSPORTATION,  
:  
DEFENDANT -----X

**PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS**

This action has been brought by the Plaintiff pursuant to the Federal Employers' Liability Act 45 U.S.C. §51 et seq., The Plaintiff seeks compensatory damages for personal injuries he claims to have sustained on June 13, 2001 while employed by the Defendant as a trackman/inspector at or near mile post 74, Warren, Massachusetts. The parties agree that the Plaintiff was employed by the Defendant. The parties further agree that the Defendant, CSX Transportation, Inc. (hereinafter "CSX"), is a railroad within the meaning of that law and at the time and place alleged the Plaintiff was engaged in the performance of his assigned duties and together the parties were involved in interstate commerce.

CSX has answered the Plaintiff's complaint denying legal liability for the Plaintiff's alleged injuries and further answered by saying the Plaintiff's injuries were caused by the Plaintiff himself.

1. Has any of you or your immediate family been employed by Defendant or any

other railroad, and if so, in what capacity?

2. Are any of you acquainted with the Plaintiff, Paul Papadakis, or any of the lawyers for the parties? If so, explain the circumstances of the acquaintance.

3. Has any of you or your immediate family been treated by or had a relationship with any of the medical witnesses in this case?

- a. Barbara Dunbar, RN, Potential  
C.O., CSX  
Selkirk, NY
- b. Franklyn H. Carrington, MD  
Internal Medicine, PC  
377 Walnut Street  
Agawam, MA
- c. Lawrence H. Field, MD  
780 Chestnut Street  
Springfield, MA
- d. R. Scott Cowan, MD  
Northeast Orthopedic Surgeons  
300 Carew Street  
Springfield, MA
- e. Paul B. Markarian, MD  
Bay State MRI & Imaging Center  
3300 Main Street  
Springfield, MA
- f. Representatives of Baystate MRI and Imaging Center  
3300 Main Street  
Springfield, MA
- g. Bernard Pfeifer, M.D.  
Lahey Clinic  
41 Mall Road  
Burlington, MA

- h. Shan Li, M.D.  
Baystate MRI and Imaging Center  
3300 Main Street  
Springfield, MA
- i. David Mernoff, M.D.  
and/or other representatives of Mercy Hospital  
299 Carew Street  
Springfield, MA
- j. Edward Feldmann, M.D.  
110 Lockwood Street, Suite 324  
Providence, RI 02093  
401-444-8806

4. Even though the Federal Law applicable in this case prescribes the method for an injured railroad man to recover damages, does any of you object to an employee suing an employer for damages arising out of an alleged injury occurring in this course of the employment?

5. Is each of you capable of deciding issues in this case solely on the evidence without bias to either the Plaintiff or the Defendant?

6. Has any of you had a claim or law suit for damages brought against you or your immediate family, or has any of you been involved in litigation as a party, witness or juror or has any of you or your immediate family been employed in any way with defending personal injury law suits?

7. Have any of you been the Defendant in a legal proceeding or had a claim brought

against you by someone seeking money damages for allegations of an injury caused by you?

8. Do any of you, the prospective jurors, have a hearing problem or any other physical difficulty that might seriously interfere with your ability to sit on this jury for three days?

9. Do any of you have reason not to be a juror?

10. This trial may last for seven to eight days. Is there anyone in this jury panel who would suffer a serious personal hardship if required to serve on the jury?

11. Is any member of the panel acquainted with any of the following individuals, who may be called as witnesses in this case: either in person or by record testimony?

1. Paul Papadakis, Plaintiff  
54 Carmel Lane  
Feeding Hills, MA
2. Kathleen Papadakis  
54 Carmel Lane  
Feeding Hills, MA
3. Richard G. Ross  
15 Tina Lane  
Westfield, MA
4. James Cronin, C.O., CSX, Potential  
Westfield, MA
5. Rebecca Savoie, C.O., CSX, Potential  
Charlotte, NC
6. Peter Ebert  
435 Newry St.  
Greenville, NY

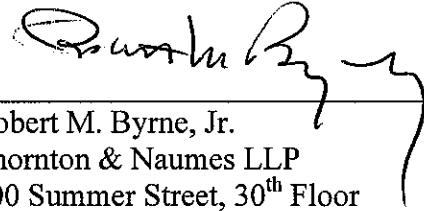
7. Ronald Jette  
13 Northwest Road  
Spencer, MA
8. James Santillo  
Feeding Hills, MA
9. James Lamb  
Westfield, MA
10. Richard Spatafore, Potential  
Albany, NY
11. David J. Evers  
41 Longwood Drive  
Clifton Park, NY
12. Richard L. Sanderson  
55 Linsley St.  
Branford, CT
13. Jeff Crother, C.O., CSX
  
14. John Richard, C.O., CSX  
413-568-2966
15. Everett Cooley, C.O., CSX
16. David Caron, C.O., CSX, Potential
17. Anthony Riccardi  
292 Washington Ave, Ext  
Albany, NY
18. Leona Liberty, Ph.D.  
120 Defreest Drive  
Troy, NY
19. Brad Winter or other representative of the  
BMWE  
Danvers, MA
20. Scott Marshall  
CSX

500 Water Street  
Jacksonville, FL  
904-366-5483

21. Ernest Gailor  
Harlan-McGee  
4000 Silver Beach Road  
Malta, NY  
518-584-1300
22. Dr. Edward Feldmann  
110 Lockwood Street, Suite 324  
Providence, RI 02093  
401-444-8806
23. Joseph Kent  
1229 Johnson Ferry Road, Suite 103C  
Marietta, GA 30068  
770-565-0595
24. John McMahon  
CSX
25. Kevin Krause  
TNT Repairs  
S. Bethlehem, NY
26. Lou Frangella  
One Bell Crossing  
Rd. 2, Box 145  
Selkirk, NY 12158

4/17/06  
DATE

Respectfully submitted  
Plaintiff's attorney,

  
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Robert M. Byrne, Jr.  
Thornton & Naumes LLP  
100 Summer Street, 30<sup>th</sup> Floor  
Boston, MA 02110  
617-720-1333  
BBO#: 068620